

Robert E. Barton, OSB #814637
E-mail: bob.barton@bullivant.com
BULLIVANT Houser Bailey PC
One SW Columbia Street, Suite 800
Portland, Oregon 97204-4022
Telephone: 503.228.6351
Facsimile: 503.295.0915

Attorneys for Defendant First Student, Inc.

UNITED STATES DISTRICT COURT

DISTRICT OF OREGON

PORLTAND DIVISION

DARALYN MICHEL, an individual,

Plaintiff,

v.

FIRST STUDENT, INC. a foreign business corporation and/or its unknown business entity,

Defendant.

Civil No.: 3:22-CV-00293

NOTICE OF REMOVAL

TO: CLERK OF THE COURT

PLEASE TAKE NOTICE THAT defendant First Student, Inc. ("Defendant") hereby removes to this Court the state action described below:

1. On or about January 22, 2022, an action was filed in the Circuit Court of the state of Oregon for the county of Clackamas entitled *Daralyn Michel v. First Student, Inc.*,

case number 22CV02913. True and correct copies of the summons and complaint are attached hereto as **Exhibit 1**.

2. This action is a civil action over which this court has original jurisdiction pursuant to 28 USC §1332, and is one that may be removed to this court by Defendant pursuant to 28 USC §1441(b) because:

a. At all relevant times, upon information and belief plaintiff Daralyn Michel's state of residence is Oregon. The complaint does not allege where they are a resident.

b. At all relevant times, defendant First Student was and is a business incorporation in the state of Ohio.

c. Plaintiff seeks \$201,000.00 in damages.

3. Removal is timely pursuant to 28 USC §1446(b) because the summons and complaint were served on defendant on January 25, 2021.

4. This is the district and division embracing the place where the state court action is pending (Clackamas County Circuit Court).

5. No other proceedings have occurred, and no other documents have been served in the state court action other than the service of summons and complaint, as referenced above. A copy of the docket in the state court action is attached as **Exhibit 2**.

6. In filing this notice, Defendant does not waive any defenses or claims including, but not limited to, any defenses based on jurisdiction, service or statute of limitations.

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7. Defendant hereby Demands a Jury Trial.

DATED: February 23, 2022

BULLIVANT HOUSER BAILEY PC

By 
Robert E. Barton, OSB #814637
E-mail: bob.barton@bullivant.com
Telephone: 503.228.6351

Attorneys for Defendant First Student, Inc.

4892-7385-9088.1 29213/00206

CERTIFICATE OF SERVICE

I hereby certify that on February 23, 2022, I caused to be served the foregoing
NOTICE OF REMOVAL on the following party at the following address:

Emily Crocker Stebbins THE GATTI LAW FIRM 235 Front St. SE Suite 200 Salem, OR 97301 emily@gattilaw.com <i>Attorneys for Plaintiff</i>	<input checked="" type="checkbox"/> U.S. Postal Service, ordinary first class mail <input type="checkbox"/> U.S. Postal Service, certified or registered mail, return receipt requested <input type="checkbox"/> E-Filing <input checked="" type="checkbox"/> E-Service, if applicable <input type="checkbox"/> Hand Delivery <input checked="" type="checkbox"/> Other (specify) <u>E-mail</u>
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